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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 09/882,554 | 06/14/2001 | Andrew Hodgkinson | 01486 | 8270 |
| 24118 | 7590 | 11/30/2005 | EXAMINER | |
| HEAD, JOHNSON & KACHIGIAN 228 W 17TH PLACE TULSA, OK 74119 | | | SHELEHEDA, JAMES R | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2617 | |

DATE MAILED: 11/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/882,554

Applicant(s)

HODGKINSON, ANDREW

Examiner

James Sheleheda

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 November 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1-10 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over White et al. (White) (6,034,689) (of record) in view of Ferguson (US 2002/0179232 A1).

As to claim 1, White discloses a television system (Figs. 1A-C), said system comprising:

a broadcast data receiver (allowing the television to receive broadcast television signals; Figs. 1A-C and column 4, lines 45-54) and a display screen (television, 12; Fig. 1;); and

an Internet access capability (column 4, lines 25-42) that when accessed allows opening and retention of at least two windows of data for selected display on the display screen (Fig. 12; column 16, lines 38-53), each window displaying a page from an Internet site (Fig. 12; column 16, lines 38-53); and

an information display being generated by the system (Fig. 12) when a user selects and opens a window for viewing (column 16, lines 28-37), said information display including a bibliography of data for each of the windows which are selectable for viewing at that instant (web page title; column 16, lines 47-54) and said information display selectable by the user for viewing (user selecting the window and title for a particular page to open; column 16, lines 42-45). While White discloses displaying recently visited web sites, he fails to specifically disclose wherein each of the windows are live.

In an analogous art, Ferguson discloses a client for accessing the Internet (paragraphs 30 and 32) wherein frequently visited web pages are assigned to be downloaded automatically to ensure that the most current "live" version of the website is downloaded and available to the user (paragraphs 41 and 191) for the typical benefit of reducing the user's wait time by downloading web page content in advance (paragraph 4).

It would have been obvious to one of ordinary skill in the art at the time of invention by applicant to modify White's system to include wherein each of the windows are live, as taught by Ferguson, for the typical benefit of reducing the user's wait time by downloading web page content in advance.

As to claim 2, White and Ferguson disclose wherein the selection of said information display for viewing is made by the user depression of a designated key or

keys or a remote control device for the apparatus of said system (see White at column 16, lines 42-45).

As to claim 3, White and Ferguson disclose wherein the selection of said information display for viewing is made by the user selecting a particular icon displayed on screen using a remote control device (highlighting and selecting a page; see White at column 16, lines 42-45).

As to claim 4, White and Ferguson disclose wherein only one of said selectable windows is displayable on said screen at a time (wherein only a single selected web page is displayed at a time; see White at Figs. 4A-B; column 7, lines 40-60).

As to claim 5, White and Ferguson disclose wherein each of said windows available for selection can be selected to be displayed in a sequential manner on said screen (sequentially moving through the recent web pages through depressions of the back or enter keys; see White at column 16, lines 54-67).

As to claim 6, White and Ferguson disclose wherein the user can stop said sequential display to select to view one page for a longer period of time (wherein the user simply chooses to stop depressing the enter or back keys and view the current page; see White at column 16, lines 54-67).

As to claim 7, White and Ferguson disclose wherein said bibliographic data for each window is selected from the group consisting of: the title embedded in the hyper-text mark-up language (see White at column 16, lines 47-54), data comprising the page (see White at column 16, lines 47-54) and a scaled image of the page (see White at Fig. 12; column 16, lines 38-42).

As to claim 8, White and Ferguson disclose wherein said scaled image, if provided, allows the user to predict the content of said window if selected for screen display (wherein the images are scaled down versions of the web page content; see White at Fig. 12; column 16, lines 38-42).

As to claim 9, White and Ferguson disclose wherein said scaled image is generated from data for the page held in a backing store memory provided in said broadcast data receiver (wherein the scaled images are inherently stored in memory in the receiver before display; see White at Fig. 1C; column 16, lines 38-42).

As to claim 10, White and Ferguson disclose wherein each of said windows available for display is allocated a unique identifier (page title; column 16, lines 47-54) which is displayed in the information display page next to the appropriate bibliographic data (displayed next to the scaled image; see White at Fig. 12; column 16, lines 47-54) and is displayed when the appropriate page has been selected for screen display (Fig. 4A).

Conclusion

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

5. The following are suggested formats for either a Certificate of Mailing or Certificate of Transmission under 37 CFR 1.8(a). The certification may be included with all correspondence concerning this application or proceeding to establish a date of mailing or transmission under 37 CFR 1.8(a). Proper use of this procedure will result in such communication being considered as timely if the established date is within the required period for reply. The Certificate should be signed by the individual actually depositing or transmitting the correspondence or by an individual who, upon information and belief, expects the correspondence to be mailed or transmitted in the normal course of business by another no later than the date indicated.

Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

on _____
(Date)

Typed or printed name of person signing this certificate:

Signature: _____

Registration Number: _____

Certificate of Transmission

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. () _____ - _____ on _____.
(Date)

Typed or printed name of person signing this certificate:

Signature: _____

Registration Number: _____

Please refer to 37 CFR 1.6(d) and 1.8(a)(2) for filing limitations concerning facsimile transmissions and mailing, respectively.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to James Sheleheda whose telephone number is (571) 272-7357. The examiner can normally be reached on 9:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Kelley can be reached on (571) 272-7331. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

James Sheleheda
Patent Examiner
Art Unit 2617

JS

A handwritten signature in black ink, appearing to read 'Vivek Srivastava', with a stylized, sweeping underline.

VIVEK SRIVASTAVA
PRIMARY EXAMINER